

Senate File 2284

S-5178

1 Amend Senate File 2284 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <DIVISION I

5 REPEAL OF DEPARTMENT OF EDUCATION AND
6 STATE BOARD OF EDUCATION

7 Section 1. Section 256A.2, subsection 1, paragraph
8 b, Code 2011, is amended by striking the paragraph.

9 Sec. 2. Section 256A.2, subsection 2, Code 2011, is
10 amended to read as follows:

11 2. Staff assistance for the council shall be
12 provided by the department of ~~education~~ human services.
13 Members of the council shall be reimbursed for actual
14 and necessary expenses incurred while engaged in their
15 official duties and shall receive per diem compensation
16 at the level authorized under section 7E.6, subsection
17 1, paragraph "a".

18 Sec. 3. Section 256A.3, subsection 4, Code 2011, is
19 amended to read as follows:

20 4. Make recommendations to the department
21 of ~~education~~ human services and the general
22 assembly regarding appropriate curricula and staff
23 qualifications and training for early elementary
24 education, coordination of the curricula with
25 child development programs, and the development
26 of an at-risk children definition for use in
27 school-district-sponsored early elementary and before
28 and after school child care programs.

29 Sec. 4. Section 256A.4, subsection 2, unnumbered
30 paragraph 1, Code 2011, is amended to read as follows:

31 The department of ~~education~~ human services shall
32 develop guidelines for family support programs.
33 Program components may include, but are not limited to,
34 all of the following:

35 Sec. 5. NEW SECTION. 256B.16 Transfer of authority
36 and duties.

37 1. Beginning July 1, 2013, the authority and
38 duties of the department of education, the state board
39 of education, and the director of the department of
40 education under this chapter shall be transferred
41 to the department of human services and the director
42 of human services. Accordingly, beginning July 1,
43 2013, all references to the department of education
44 under this chapter and references to the department
45 of education under other provisions of law relating
46 to this chapter shall mean the department of human
47 services and all references to the state board
48 of education or the director of the department of
49 education under this chapter or other provisions of law
50 relating to this chapter shall mean the director of

1 human services.

2 2. Beginning July 1, 2013, the division of special
3 education created within the department of education
4 under section 256B.1 shall be transferred to the
5 department of human services.

6 3. Any moneys remaining in any account or fund
7 under the control of the department of education at the
8 conclusion of the fiscal year beginning July 1, 2012,
9 relative to the provisions of this chapter shall be
10 transferred to the control of the department of human
11 services for such purposes. Notwithstanding section
12 8.33, the moneys transferred in accordance with this
13 subsection shall not revert to the account or fund from
14 which appropriated or transferred.

15 4. Any contract entered into by the department of
16 education relating to the provisions of this chapter in
17 effect at the conclusion of the fiscal year beginning
18 July 1, 2012, shall continue in full force and effect
19 pending transfer of such contracts to the department of
20 human services.

21 5. Any rule, regulation, form, order, or directive
22 promulgated by the department of education relative
23 to the provisions of this chapter in existence at the
24 conclusion of the fiscal year beginning July 1, 2012,
25 shall continue in full force and effect until amended,
26 repealed, or supplemented by affirmative action of
27 the department of human services under the duties
28 and powers established in this chapter and under the
29 procedure established in subsection 6.

30 6. In regard to updating references and format in
31 the Iowa administrative code in order to correspond
32 to the transferring of duties of this chapter, the
33 administrative rules coordinator and the administrative
34 rules review committee, in consultation with the
35 administrative code editor, shall jointly develop
36 a schedule for the necessary updating of the Iowa
37 administrative code.

38 Sec. 6. Section 256C.1, Code 2011, is amended to
39 read as follows:

40 **256C.1 Definitions.**

41 As used in this chapter:

42 1. *"Approved local program"* means a school
43 district's program for four-year-old children ~~approved~~
44 ~~by the department of education to provide high quality~~
45 ~~preschool instruction.~~

46 2. ~~"Department"~~ means the department of education.

47 3. ~~"Director"~~ means the director of the department
48 ~~of education.~~

49 4. 2. *"Preschool program"* means the statewide
50 preschool program for four-year-old children created in

1 accordance with this chapter.

2 ~~5.~~ 3. "School district approved to participate in
3 the preschool program" means a school district that
4 meets the school district requirements under section
5 256C.3 and ~~has been approved by the department to~~
6 ~~participate in the preschool program.~~

7 ~~6. "State board" means the state board of~~
8 ~~education.~~

9 Sec. 7. Section 256C.2, subsection 2, Code 2011, is
10 amended by striking the subsection.

11 Sec. 8. Section 256C.3, subsection 2, paragraph
12 a, subparagraph (3), Code 2011, is amended to read as
13 follows:

14 (3) The individual possesses a bachelor's or
15 graduate degree from an accredited college or
16 university with a major in early childhood education
17 or other appropriate major ~~identified in rule by the~~
18 ~~department as determined by the school district's board~~
19 ~~of directors.~~

20 Sec. 9. Section 256C.3, subsection 3, unnumbered
21 paragraph 1, Code 2011, is amended to read as follows:

22 ~~The state board shall adopt rules to further define~~
23 ~~the following preschool program requirements which~~
24 ~~shall be used to determine whether or not a Each local~~
25 ~~program implemented by a school district approved~~
26 ~~to implement the preschool program qualifies as an~~
27 ~~approved local program shall address or conform with~~
28 ~~all of the following:~~

29 Sec. 10. Section 256C.3, subsection 4, Code 2011,
30 is amended by striking the subsection and inserting in
31 lieu thereof the following:

32 4. *School district requirements.*

33 a. Subject to implementation of chapter
34 28E agreements between a school district and
35 community-based providers of services to four-year-old
36 children, a four-year-old child who is enrolled in a
37 child care center or child development home licensed
38 or registered under chapter 237A, or in an existing
39 public or private preschool program, shall be eligible
40 for services provided by the school district's local
41 preschool program.

42 b. Professional development for school district
43 preschool teachers shall be addressed in the school
44 district's professional development plan implemented in
45 accordance with section 284.6.

46 Sec. 11. Section 256C.3, subsection 5, Code 2011,
47 is amended by striking the subsection.

48 Sec. 12. Section 256C.4, subsection 1, paragraph d,
49 Code 2011, is amended to read as follows:

50 d. Preschool foundation aid funding shall not

1 be commingled with the other state aid payments made
2 under section 257.16 to a school district and shall be
3 accounted for by the local school district separately
4 from the other state aid payments. Preschool
5 foundation aid payments made to school districts are
6 miscellaneous income for purposes of chapter 257. A
7 school district shall maintain a separate listing
8 within its budget for preschool foundation aid payments
9 received and expenditures made. ~~A school district~~
10 ~~shall certify to the department of education that~~
11 ~~preschool~~ Preschool foundation aid funding received by
12 the school district ~~was~~ shall be used to supplement,
13 not supplant, moneys otherwise received and used by the
14 school district for preschool programming.

15 Sec. 13. Section 256C.5, subsection 1, paragraph a,
16 Code Supplement 2011, is amended to read as follows:

17 a. "Base year", "budget year", "~~regular program~~
18 ~~state cost per pupil~~", and "school district" mean the
19 same as defined or described in chapter 257.

20 Sec. 14. Section 256C.5, subsection 1, Code
21 Supplement 2011, is amended by adding the following new
22 paragraph:

23 NEW PARAGRAPH. e. "Regular program state cost per
24 *pupil*" means five thousand eight hundred eighty-three
25 dollars.

26 Sec. 15. Section 256C.5, subsection 2, Code
27 Supplement 2011, is amended to read as follows:

28 2. *Preschool foundation aid district amount.*

29 a. For the initial school year for which a school
30 district approved to participate in the preschool
31 program ~~receives that approval and~~ implements the
32 preschool program, the funding for the preschool
33 foundation aid payable to that school district shall be
34 paid from the appropriation made for that school year
35 in section 256C.6 or in another appropriation made for
36 purposes of this chapter. For that school year, the
37 preschool foundation aid payable to the school district
38 is the product of the regular program state cost per
39 pupil for the school year multiplied by sixty percent
40 of the school district's eligible student enrollment on
41 the date in the school year ~~determined by rule.~~

42 b. For budget years subsequent to the initial
43 school year for which a school district approved
44 to participate in the preschool program ~~receives~~
45 ~~that initial approval and~~ implements the preschool
46 program, the funding for the preschool foundation aid
47 payable to that school district shall be paid from the
48 appropriation made in section 257.16. ~~Continuation~~
49 ~~of a school district's participation in the preschool~~
50 ~~program for a second or subsequent budget year is~~

1 ~~subject to the approval of the department based upon~~
2 ~~the school district's compliance with accountability~~
3 ~~provisions and the department's on-site review of the~~
4 ~~school district's implementation of the preschool~~
5 ~~program.~~

6 Sec. 16. Section 256C.5, subsection 4, Code
7 Supplement 2011, is amended by striking the subsection.

8 Sec. 17. NEW SECTION. 256F.12 Transfer of
9 authority and duties.

10 1. Beginning July 1, 2013, the authority and duties
11 of the department of education, the state board, and
12 the director of the department of education under this
13 chapter, to the extent feasible, shall be transferred
14 to the board of directors of the community college
15 serving the merged area in which the charter school
16 or innovation zone school, or such proposed school,
17 is located. Accordingly, beginning July 1, 2013, all
18 references to the department of education, the state
19 board of education, and the director of the department
20 of education under this chapter or other provisions of
21 law relating to this chapter shall mean the board of
22 directors of the community college serving the merged
23 area in which the charter school or innovation zone
24 school, or such proposed school, is located.

25 2. Any contract entered into by the department of
26 education relating to the provisions of this chapter in
27 effect at the conclusion of the fiscal year beginning
28 July 1, 2012, shall continue in full force and effect
29 pending transfer of such contracts to the appropriate
30 community college board of directors.

31 3. Any rule, regulation, form, order, or directive
32 promulgated by the department of education relative
33 to the provisions of this chapter in existence at the
34 conclusion of the fiscal year beginning July 1, 2012,
35 shall continue in full force and effect.

36 Sec. 18. Section 256G.2, subsections 1 and 2, Code
37 2011, are amended by striking the subsections.

38 Sec. 19. Section 256G.3, subsection 1, paragraph
39 a, subparagraph (2), Code 2011, is amended to read as
40 follows:

41 (2) The policy shall include, in order of
42 consideration, the reasons for which a request to
43 transfer to the research and development school will
44 be allowed by the school district. The research and
45 development school may deny any request for transfer
46 under the policy and ~~such denial for transfer is not~~
47 ~~subject to appeal under section 290.1.~~ The research
48 and development school shall report the transfer and
49 enrollment of a new student directly to the ~~department~~
50 state board of regents.

1 Sec. 20. Section 256G.4, subsection 2, Code 2011,
2 is amended to read as follows:

3 2. The ~~department~~ state board of regents shall be
4 the accreditation agency and as such shall serve as the
5 authority on teacher qualification requirements and
6 waiver provisions.

7 Sec. 21. Section 256G.4, subsection 3, paragraph a,
8 unnumbered paragraph 1, Code 2011, is amended to read
9 as follows:

10 A ~~seventeen-member~~ sixteen-member advisory council
11 is created, composed of the following members:

12 Sec. 22. Section 256G.4, subsection 3, paragraph a,
13 subparagraph (1), subparagraph division (a), Code 2011,
14 is amended by striking the subparagraph division.

15 Sec. 23. Section 256G.4, subsection 3, paragraph a,
16 subparagraph (2), unnumbered paragraph 1, Code 2011, is
17 amended to read as follows:

18 Ten members, as follows, who shall be ~~jointly~~
19 recommended for membership by the president ~~and the~~
20 ~~director~~, shall be ~~jointly~~ approved by the state board
21 of regents ~~and the state board of education~~, shall
22 serve three-year staggered terms, and shall be eligible
23 to serve for two consecutive three-year terms on the
24 council in addition to any partial, initial term:

25 Sec. 24. Section 256G.4, subsection 3, paragraph
26 c, subparagraph (2), Code 2011, is amended to read as
27 follows:

28 (2) The advisory council shall provide an annual
29 report to the president, ~~the director~~, the state board
30 of regents, ~~the state board of education~~, and the
31 general assembly.

32 Sec. 25. Section 256G.4, subsection 4, paragraph a,
33 unnumbered paragraph 1, Code 2011, is amended to read
34 as follows:

35 ~~An eleven-member~~ A ten-member standing institutional
36 research committee, ~~appointed by the president and~~
37 ~~the director~~, is created, composed of the following
38 members:

39 Sec. 26. Section 256G.4, subsection 4, paragraph a,
40 subparagraph (10), Code 2011, is amended by striking
41 the subparagraph.

42 Sec. 27. NEW SECTION. 256H.4 Transfer of authority
43 and duties.

44 1. Beginning July 1, 2013, the authority and duties
45 of the department of education and the director of
46 the department of education under this chapter shall
47 be transferred to the adjutant general of the state.
48 Accordingly, beginning July 1, 2013, all references to
49 the department of education and the director of the
50 department of education under this chapter or other

1 provisions of law relating to this chapter shall mean
2 adjutant general of the state.

3 2. Any contract entered into by the department of
4 education relating to the provisions of this chapter in
5 effect at the conclusion of the fiscal year beginning
6 July 1, 2012, shall continue in full force and effect
7 pending transfer of such contracts to the adjutant
8 general of the state.

9 3. Any rule, regulation, form, order, or directive
10 promulgated by the department of education relative
11 to the provisions of this chapter in existence upon
12 conclusion of the fiscal year beginning July 1, 2012,
13 shall continue in full force and effect.

14 **Sec. 28. NEW SECTION. 256I.13 Transfer of**
15 **authority and duties.**

16 1. Beginning July 1, 2013, the authority and duties
17 of the department of education and the director of the
18 department of education under this chapter shall be
19 transferred to the department of human services and the
20 director of human services. Accordingly, beginning
21 July 1, 2013, all references to the department
22 of education or the director of the department of
23 education under this chapter or under other provisions
24 of law relating to this chapter shall mean the
25 department of human services and the director of human
26 services.

27 2. Any moneys remaining in any account or fund
28 under the control of the department of education at the
29 conclusion of the fiscal year beginning July 1, 2012,
30 relative to the provisions of this chapter shall be
31 transferred to the control of the department of human
32 services for such purposes. Notwithstanding section
33 8.33, the moneys transferred in accordance with this
34 subsection shall not revert to the account or fund from
35 which appropriated or transferred.

36 3. Any contract entered into by the department of
37 education relating to the provisions of this chapter in
38 effect at the conclusion of the fiscal year beginning
39 July 1, 2012, shall continue in full force and effect
40 pending transfer of such contracts to the department of
41 human services.

42 4. Any rule, regulation, form, order, or directive
43 promulgated by the department of education relative
44 to the provisions of this chapter in existence at the
45 conclusion of the fiscal year beginning July 1, 2012,
46 shall continue in full force and effect until amended,
47 repealed, or supplemented by affirmative action of
48 the department of human services under the duties
49 and powers established in this chapter and under the
50 procedure established in subsection 5.

1 5. In regard to updating references and format in
2 the Iowa administrative code in order to correspond
3 to the transferring of duties of this chapter, the
4 administrative rules coordinator and the administrative
5 rules review committee, in consultation with the
6 administrative code editor, shall jointly develop
7 a schedule for the necessary updating of the Iowa
8 administrative code.

9 Sec. 29. Section 257C.5, subsection 1, Code 2011,
10 is amended to read as follows:

11 1. The powers of the authority are vested in and
12 exercised by a board consisting of five members,
13 including the treasurer of state, ~~the director of~~
14 ~~the department of education,~~ and the director of
15 the department of management, and ~~two~~ three members
16 appointed by the governor, subject to confirmation
17 by the senate. The state officials may designate
18 representatives to serve on the board for them. As far
19 as possible, the governor shall appoint members who are
20 knowledgeable or experienced in the school systems of
21 this state or in finance.

22 Sec. 30. NEW SECTION. **258.18 Transfer of authority**
23 **and duties.**

24 1. Beginning July 1, 2013, the authority and
25 duties of the department of education, the state board
26 of education, and the director of the department of
27 education under this chapter shall be transferred
28 to the department of workforce development and the
29 director of the department of workforce development.
30 Accordingly, beginning July 1, 2013, all references
31 to the department of education under this chapter
32 and references to the department of education under
33 other provisions of law relating to this chapter shall
34 mean the department of workforce development and all
35 references to the state board of education or the
36 director of the department of education under this
37 chapter or other provisions of law relating to this
38 chapter shall mean the director of the department of
39 workforce development.

40 2. Any moneys remaining in any account or fund
41 under the control of the department of education
42 at the conclusion of the fiscal year beginning
43 July 1, 2012, relative to the provisions of this
44 chapter shall be transferred to the control of the
45 department of workforce development for such purposes.
46 Notwithstanding section 8.33, the moneys transferred in
47 accordance with this subsection shall not revert to the
48 account or fund from which appropriated or transferred.

49 3. Any contract entered into by the department of
50 education relating to the provisions of this chapter in

1 effect at the conclusion of the fiscal year beginning
2 July 1, 2012, shall continue in full force and effect
3 pending transfer of such contracts to the department
4 of workforce development.

5 4. Any rule, regulation, form, order, or directive
6 promulgated by the department of education relative
7 to the provisions of this chapter in existence at the
8 conclusion of the fiscal year beginning July 1, 2012,
9 shall continue in full force and effect until amended,
10 repealed, or supplemented by affirmative action of the
11 department of workforce development under the duties
12 and powers established in this chapter and under the
13 procedure established in subsection 5.

14 5. In regard to updating references and format in
15 the Iowa administrative code in order to correspond
16 to the transferring of duties of this chapter, the
17 administrative rules coordinator and the administrative
18 rules review committee, in consultation with the
19 administrative code editor, shall jointly develop
20 a schedule for the necessary updating of the Iowa
21 administrative code.

22 **Sec. 31. NEW SECTION. 259.1A Transfer of authority**
23 **and duties.**

24 1. Beginning July 1, 2013, the authority and
25 duties of the department of education, the state board
26 of education, and the director of the department of
27 education under this chapter shall be transferred
28 to the department of workforce development and the
29 director of the department of workforce development.
30 Accordingly, beginning July 1, 2013, all references
31 to the department of education under this chapter
32 and references to the department of education under
33 other provisions of law relating to this chapter shall
34 mean the department of workforce development and all
35 references to the state board of education or the
36 director of the department of education under this
37 chapter or other provisions of law relating to this
38 chapter shall mean the director of the department of
39 workforce development.

40 2. Beginning July 1, 2013, the division of
41 vocational rehabilitation services created within the
42 department of education under section 259.3 shall be
43 transferred to the department of workforce development.

44 3. Any moneys remaining in any account or fund
45 under the control of the department of education
46 at the conclusion of the fiscal year beginning
47 July 1, 2012, relative to the provisions of this
48 chapter shall be transferred to the control of the
49 department of workforce development for such purposes.
50 Notwithstanding section 8.33, the moneys transferred in

1 accordance with this subsection shall not revert to the
2 account or fund from which appropriated or transferred.

3 4. Any contract entered into by the department of
4 education relating to the provisions of this chapter in
5 effect at the conclusion of the fiscal year beginning
6 July 1, 2012, shall continue in full force and effect
7 pending transfer of such contracts to the department
8 of workforce development.

9 5. Any rule, regulation, form, order, or directive
10 promulgated by the department of education relative
11 to the provisions of this chapter in existence at the
12 conclusion of the fiscal year beginning July 1, 2012,
13 shall continue in full force and effect until amended,
14 repealed, or supplemented by affirmative action of the
15 department of workforce development under the duties
16 and powers established in this chapter and under the
17 procedure established in subsection 6.

18 6. In regard to updating references and format in
19 the Iowa administrative code in order to correspond
20 to the transferring of duties of this chapter, the
21 administrative rules coordinator and the administrative
22 rules review committee, in consultation with the
23 administrative code editor, shall jointly develop
24 a schedule for the necessary updating of the Iowa
25 administrative code.

26 Sec. 32. Section 259A.1, Code 2011, is amended to
27 read as follows:

28 **259A.1 Tests.**

29 ~~The department of education~~ Each board of directors
30 of the community college serving the merged area shall
31 cause to be made available for qualified individuals
32 a high school equivalency diploma. The diploma shall
33 be issued on the basis of satisfactory competence as
34 shown by tests covering all of the following: reading,
35 arts, language arts, writing, mathematics, science, and
36 social studies.

37 Sec. 33. Section 259A.2, unnumbered paragraph 2,
38 Code 2011, is amended to read as follows:

39 Application shall be made to a testing center
40 approved by the ~~department of education~~ board of
41 directors of the community college serving the merged
42 area, accompanied by an application fee in an amount
43 prescribed by the department board of directors of the
44 community college. The test scores shall be forwarded
45 by the testing center to the department board of
46 directors of the community college.

47 Sec. 34. Section 259A.3, Code Supplement 2011, is
48 amended to read as follows:

49 **259A.3 Notice and fee.**

50 Any applicant who has achieved the minimum passing

1 standards as established by the department, and
2 ~~approved by the state board,~~ board of directors of
3 the community college shall be issued a high school
4 equivalency diploma ~~by the department~~ upon payment of
5 an additional amount determined ~~in rules adopted by~~
6 ~~the state board of education by the board~~ to cover the
7 actual costs of the production and distribution of the
8 diploma. ~~The state board of education may also by rule~~
9 ~~establish a fee for the issuance or verification of a~~
10 ~~transcript which shall be based on the actual costs of~~
11 ~~the production or verification of a transcript.~~

12 Sec. 35. Section 259A.4, Code 2011, is amended to
13 read as follows:

14 **259A.4 Use of fees.**

15 The fees collected under the provisions of this
16 chapter shall be used for the expenses incurred in
17 administering, providing test materials, scoring of
18 examinations and issuance of high school equivalency
19 diplomas, and shall be disbursed on the authorization
20 of the ~~director of the department of education~~ board
21 of directors of the community college. The treasurer
22 of state shall be custodian of the funds paid to the
23 ~~department~~ community college and shall disburse the
24 same on vouchers audited as provided by law. The
25 unobligated balance in such funds at the close of each
26 biennium shall be placed in the general fund of the
27 state.

28 Sec. 36. Section 259A.5, Code 2011, is amended to
29 read as follows:

30 **259A.5 Rules.**

31 ~~The director of the department of education~~ Each
32 board of directors of the community college shall adopt
33 tests, definitions of terms, and forms as necessary for
34 the administration of this chapter. ~~The state board~~
35 ~~shall adopt rules under chapter 17A to carry out this~~
36 ~~chapter.~~

37 Sec. 37. NEW SECTION. **260C.1A Transfer of**
38 **authority and duties.**

39 1. Beginning July 1, 2013, the authority and
40 duties of the department of education, the state board
41 of education, and the director of the department of
42 education under this chapter shall, to the extent
43 feasible, be transferred to the boards of directors
44 of the community colleges serving the merged areas of
45 the state. Accordingly, beginning July 1, 2013, all
46 references to the department of education, the state
47 board of education, and the director of the department
48 of education under this chapter and references to the
49 department of education, the state board of education,
50 and the director of the department of education under

1 other provisions of law relating to this chapter shall
2 mean the applicable board of directors of a community
3 college.

4 2. Beginning July 1, 2013, transfer of the duties
5 and authority of the department shall also include
6 all duties and authority of the community colleges
7 division created within the department of education
8 under section 260C.6.

9 3. Any moneys remaining in any account or fund
10 under the control of the department of education at the
11 conclusion of the fiscal year beginning July 1, 2012,
12 relative to the provisions of this chapter shall be
13 transferred to the control of the applicable board of
14 directors of a community college for such purposes.
15 Notwithstanding section 8.33, the moneys transferred in
16 accordance with this subsection shall not revert to the
17 account or fund from which appropriated or transferred.

18 4. Any contract entered into by the department of
19 education relating to the provisions of this chapter in
20 effect at the conclusion of the fiscal year beginning
21 July 1, 2012, shall continue in full force and effect
22 pending transfer of such contracts to the boards of
23 directors of the community colleges.

24 5. Any rule, regulation, form, order, or directive
25 promulgated by the department of education relative
26 to the provisions of this chapter in existence at the
27 conclusion of the fiscal year beginning July 1, 2012,
28 shall continue in full force and effect.

29 Sec. 38. Section 260E.7, subsection 1, Code
30 Supplement 2011, is amended to read as follows:

31 1. The economic development authority, in
32 consultation with the ~~department of education, the~~
33 department of revenue, and the department of workforce
34 development, shall coordinate and review the new jobs
35 training program. The economic development authority
36 shall adopt, amend, and repeal rules under chapter
37 17A that the community college will use in developing
38 projects with new and expanding industrial new jobs
39 training proposals and that the economic development
40 authority shall use to review and report on the new
41 jobs training program as required in this section.

42 Sec. 39. Section 260F.6B, Code Supplement 2011, is
43 amended to read as follows:

44 **260F.6B High technology apprenticeship program.**

45 The community colleges and the economic development
46 authority are authorized to fund high technology
47 apprenticeship programs which comply with the
48 requirements specified in section 260C.44 and which may
49 include both new and statewide apprenticeship programs.
50 Notwithstanding the provisions of section 260F.6,

1 subsection 2, relating to maximum award amounts,
2 moneys allocated to the community colleges with high
3 technology apprenticeship programs shall be distributed
4 to the community colleges based upon contact hours
5 under the programs administered during the prior
6 fiscal year as determined by the ~~department of~~
7 ~~education~~ economic development authority. The economic
8 development authority shall adopt rules governing this
9 section's operation and participant eligibility.

10 Sec. 40. Section 260F.7, Code Supplement 2011, is
11 amended to read as follows:

12 **260F.7 Economic development authority to coordinate.**

13 The economic development authority, in consultation
14 with the ~~department of education~~ and the department
15 of workforce development, shall coordinate the jobs
16 training program. A project shall not be funded
17 under this chapter unless the economic development
18 authority approves the project. The authority shall
19 adopt rules pursuant to chapter 17A governing the
20 program's operation and eligibility for participation
21 in the program. The authority shall establish by rule
22 criteria for determining what constitutes an eligible
23 business.

24 Sec. 41. Section 260H.2, Code Supplement 2011, is
25 amended to read as follows:

26 **260H.2 Pathways for academic career and employment**
27 **program.**

28 A pathways for academic career and employment
29 program is established to provide funding to
30 community colleges for the development of projects
31 in coordination with the economic development
32 authority, the department of ~~education~~, Iowa workforce
33 development, regional advisory boards established
34 pursuant to section 84A.4, and community partners to
35 implement a simplified, streamlined, and comprehensive
36 process, along with customized support services, to
37 enable eligible participants to acquire effective
38 academic and employment training to secure gainful,
39 quality, in-state employment.

40 Sec. 42. Section 260H.8, Code Supplement 2011, is
41 amended to read as follows:

42 **260H.8 Rules.**

43 The ~~department of education~~ economic development
44 authority, in consultation with the community colleges,
45 ~~the economic development authority~~, and Iowa the
46 department of workforce development, shall adopt rules
47 pursuant to chapter 17A and this chapter to implement
48 the provisions of this chapter. Regional advisory
49 boards established pursuant to section 84A.4 shall be
50 consulted in the development and implementation of

1 rules to be adopted pursuant to this chapter.

2 Sec. 43. Section 260I.3, subsection 1, Code
3 Supplement 2011, is amended to read as follows:

4 1. ~~The department of education, in consultation~~
5 ~~with the economic development authority,~~ shall adopt
6 rules pursuant to this chapter defining eligibility
7 criteria for persons applying to receive tuition
8 assistance under this chapter.

9 Sec. 44. Section 260I.10, Code Supplement 2011, is
10 amended to read as follows:

11 **260I.10 Oversight.**

12 1. ~~The department of education~~ economic development
13 authority, in coordination with the community colleges,
14 shall establish a steering committee. The steering
15 committee shall determine if the performance measures
16 of the gap tuition assistance program are being met and
17 shall take necessary steps to correct any deficiencies.
18 The steering committee shall meet at least quarterly to
19 evaluate and monitor the performance of the gap tuition
20 assistance program.

21 2. ~~The department of education~~ economic development
22 authority, in coordination with the community colleges,
23 shall develop a common intake tracking system that
24 shall be implemented consistently by each participating
25 community college.

26 3. ~~The department of education~~ economic development
27 authority shall coordinate statewide oversight,
28 evaluation, and reporting efforts for the gap tuition
29 assistance program.

30 Sec. 45. Section 260I.11, Code Supplement 2011, is
31 amended to read as follows:

32 **260I.11 Rules.**

33 ~~The department of education~~ economic development
34 authority, in consultation with the economic
35 ~~development authority and the~~ community colleges, shall
36 adopt rules pursuant to chapter 17A and this chapter to
37 implement the provisions of this chapter.

38 Sec. 46. Section 261.1, subsection 2, paragraph b,
39 Code 2011, is amended by striking the paragraph.

40 Sec. 47. NEW SECTION. 261.8 Transfer of authority
41 and duties.

42 1. Beginning July 1, 2013, the authority
43 and duties of the department of education, the
44 state board of education, and the director of the
45 department of education under this chapter shall be
46 transferred to the college student aid commission.
47 Accordingly, beginning July 1, 2013, all references
48 to the department of education or the director of
49 the department of education under this chapter and
50 references to the department of education or the

1 director of the department of education under other
2 provisions of law relating to this chapter shall mean
3 the college student aid commission.

4 2. Any moneys remaining in any account or fund
5 under the control of the department of education at the
6 conclusion of the fiscal year beginning July 1, 2012,
7 relative to the provisions of this chapter shall be
8 transferred to the control of the college student aid
9 commission for such purposes. Notwithstanding section
10 8.33, the moneys transferred in accordance with this
11 subsection shall not revert to the account or fund from
12 which appropriated or transferred.

13 3. Any contract entered into by the department of
14 education relating to the provisions of this chapter in
15 effect at the conclusion of the fiscal year beginning
16 July 1, 2012, shall continue in full force and effect
17 pending transfer of such contracts to the college
18 student aid commission.

19 4. Any rule, regulation, form, order, or directive
20 promulgated by the department of education relative
21 to the provisions of this chapter in existence at the
22 conclusion of the fiscal year beginning July 1, 2012,
23 shall continue in full force and effect until amended,
24 repealed, or supplemented by affirmative action of
25 the college student aid commission under the duties
26 and powers established in this chapter and under the
27 procedure established in subsection 5.

28 5. In regard to updating references and format in
29 the Iowa administrative code in order to correspond
30 to the transferring of duties of this chapter, the
31 administrative rules coordinator and the administrative
32 rules review committee, in consultation with the
33 administrative code editor, shall jointly develop
34 a schedule for the necessary updating of the Iowa
35 administrative code.

36 Sec. 48. Section 261B.3A, subsection 2, Code 2011,
37 is amended to read as follows:

38 2. A practitioner preparation program operated
39 by a school that applies to register the program
40 in accordance with this chapter shall, in order to
41 register, be accredited by an agency or organization
42 approved or recognized by the United States department
43 of education or a successor agency, ~~be approved by the~~
44 ~~state board of education pursuant to section 256.7,~~
45 ~~subsection 3,~~ and, subsequently, be approved for
46 operation by the commission.

47 Sec. 49. NEW SECTION. 261E.1A **Transfer of**
48 **authority and duties.**

49 1. Beginning July 1, 2013, the authority and
50 duties of the department of education, the state board

1 of education, and the director of the department of
2 education under this chapter shall be transferred to
3 the state board of regents. Accordingly, beginning
4 July 1, 2013, all references to the department of
5 education, the state board of education, or the
6 director of the department of education under this
7 chapter and references to the department of education,
8 state board of education, or director of the department
9 of education under other provisions of law relating to
10 this chapter shall mean the state board of regents.

11 2. Any moneys remaining in any account or fund
12 under the control of the department of education at
13 the conclusion of the fiscal year beginning July 1,
14 2012, relative to the provisions of this chapter shall
15 be transferred to the control of the state board of
16 regents for such purposes. Notwithstanding section
17 8.33, the moneys transferred in accordance with this
18 subsection shall not revert to the account or fund from
19 which appropriated or transferred.

20 3. Any contract entered into by the department of
21 education relating to the provisions of this chapter in
22 effect at the conclusion of the fiscal year beginning
23 July 1, 2012, shall continue in full force and effect
24 pending transfer of such contracts to the state board
25 of regents.

26 4. Any rule, regulation, form, order, or directive
27 promulgated by the department of education relative
28 to the provisions of this chapter in existence at the
29 conclusion of the fiscal year beginning July 1, 2012,
30 shall continue in full force and effect until amended,
31 repealed, or supplemented by affirmative action of the
32 state board of regents under the duties and powers
33 established in this chapter and under the procedure
34 established in subsection 5.

35 5. In regard to updating references and format in
36 the Iowa administrative code in order to correspond
37 to the transferring of duties of this chapter, the
38 administrative rules coordinator and the administrative
39 rules review committee, in consultation with the
40 administrative code editor, shall jointly develop
41 a schedule for the necessary updating of the Iowa
42 administrative code.

43 Sec. 50. Section 262.9, subsection 27, Code
44 Supplement 2011, is amended to read as follows:

45 ~~27. Explore, in conjunction with the department~~
46 ~~of education,~~ the need for coordination between
47 school districts, area education agencies, state
48 board of regents institutions, and community
49 colleges for purposes of delivery of courses, use of
50 telecommunications, transportation, and other similar

1 issues. Coordination may include but is not limited
2 to coordination of calendars, programs, schedules, or
3 telecommunications emissions. The state board shall
4 develop recommendations as necessary, which shall be
5 submitted in a report to the general assembly on a
6 timely basis.

7 Sec. 51. Section 262.9, subsection 33, unnumbered
8 paragraph 1, Code Supplement 2011, is amended to read
9 as follows:

10 ~~In consultation with the state board of education,~~
11 ~~establish~~ Establish and enter into a collective
12 statewide articulation agreement with the community
13 colleges established pursuant to chapter 260C, which
14 shall provide for the seamless transfer of academic
15 credits from a completed associate of arts or associate
16 of science degree program offered by a community
17 college to a baccalaureate degree program offered by an
18 institution of higher education governed by the board.
19 The board shall also do the following:

20 Sec. 52. Section 262.9, subsection 33, paragraph i,
21 Code Supplement 2011, is amended to read as follows:

22 *i.* ~~Prepare, jointly with the department of~~
23 ~~education and the liaison advisory committee on~~
24 ~~transfer students, and submit by January 15 annually~~
25 ~~to the general assembly, an update on the articulation~~
26 ~~efforts and activities implemented by the community~~
27 ~~colleges and the institutions of higher education~~
28 ~~governed by the board.~~

29 Sec. 53. Section 262.71, subsection 9, Code 2011,
30 is amended by striking the subsection.

31 Sec. 54. Section 266.39C, subsection 2, paragraph
32 a, subparagraph (5), Code Supplement 2011, is amended
33 to read as follows:

34 (5) One representative of community colleges,
35 appointed by the ~~state board of education~~ governor.

36 Sec. 55. Section 266.39C, subsection 6, Code
37 Supplement 2011, is amended to read as follows:

38 6. The Iowa energy center shall ~~cooperate with~~
39 ~~the state board of education in developing~~ develop
40 a curriculum which promotes energy efficiency and
41 conservation.

42 Sec. 56. Section 272.1, subsection 4, Code 2011, is
43 amended by striking the subsection.

44 Sec. 57. NEW SECTION. **272.1A Transfer of authority**
45 **and duties.**

46 1. Beginning July 1, 2013, the authority and
47 duties of the department of education, the state board
48 of education, and the director of the department of
49 education under this chapter shall be transferred to
50 the board of educational examiners. Accordingly,

1 beginning July 1, 2013, all references to the
2 department of education, the state board of education,
3 or the director of the department of education under
4 this chapter and references to the department of
5 education, state board of education, or director of
6 the department of education under other provisions of
7 law relating to this chapter shall mean the board of
8 educational examiners.

9 2. Any moneys remaining in any account or fund
10 under the control of the department of education at the
11 conclusion of the fiscal year beginning July 1, 2012,
12 relative to the provisions of this chapter shall be
13 transferred to the control of the board of educational
14 examiners for such purposes. Notwithstanding section
15 8.33, the moneys transferred in accordance with this
16 subsection shall not revert to the account or fund from
17 which appropriated or transferred.

18 3. Any contract entered into by the department of
19 education relating to the provisions of this chapter in
20 effect at the conclusion of the fiscal year beginning
21 July 1, 2012, shall continue in full force and effect
22 pending transfer of such contracts to the board of
23 educational examiners.

24 Sec. 58. Section 272.3, Code 2011, is amended to
25 read as follows:

26 **272.3 Membership.**

27 1. The board of educational examiners consists of
28 twelve members. Two must be members of the general
29 public, ~~one must be the director of the department of~~
30 ~~education or the director's designee,~~ and the remaining
31 ~~nine ten~~ members must be licensed practitioners. One
32 of the public members shall have served on a school
33 board. The public members shall never have held a
34 practitioner's license, but shall have a demonstrated
35 interest in education. The ~~nine ten~~ practitioners
36 shall be selected from the following areas and
37 specialties of the teaching profession:

- 38 a. Elementary teachers.
- 39 b. Secondary teachers.
- 40 c. Special education or other similar teachers.
- 41 d. Counselors or other special purpose
42 practitioners.
- 43 e. Administrators.
- 44 f. School service personnel.

45 2. A majority of the licensed practitioner members
46 shall be nonadministrative practitioners. Four of the
47 members shall be administrators. Membership of the
48 board shall comply with the requirements of sections
49 69.16 and 69.16A. A quorum of the board shall consist
50 of six members. Members shall elect a chairperson

1 of the board. ~~Members, except for the director~~
2 ~~of the department of education or the director's~~
3 ~~designee,~~ shall be appointed by the governor subject to
4 confirmation by the senate.

5 Sec. 59. Section 272.4, subsection 1, unnumbered
6 paragraph 1, Code 2011, is amended to read as follows:

7 ~~Members, except for the director of the department~~
8 ~~of education or the director's designee,~~ shall be
9 appointed to serve staggered terms of four years.
10 A member shall not serve more than two consecutive
11 terms, ~~except for the director of the department of~~
12 ~~education or the director's designee, who shall serve~~
13 ~~until the director's term of office expires.~~ A member
14 of the board, except for the two public members and
15 ~~the director of the department of education or the~~
16 ~~director's designee,~~ shall hold a valid practitioner's
17 license during the member's term of office. A vacancy
18 exists when any of the following occur:

19 Sec. 60. Section 272.25, subsections 3, 4, and 8,
20 Code 2011, are amended to read as follows:

21 3. A requirement that the program include
22 instruction in skills and strategies to be used in
23 classroom management of individuals, and of small and
24 large groups, under varying conditions, and skills for
25 communicating and working constructively with pupils,
26 teachers, administrators, and parents, ~~and skills for~~
27 ~~understanding the role of the board of education and~~
28 ~~the functions of other education agencies in the state.~~
29 ~~The requirement shall be based upon recommendations of~~
30 ~~the department of education after consultation with~~
31 ~~teacher education faculty members in colleges and~~
32 ~~universities.~~

33 4. A requirement that prescribes minimum
34 experiences and responsibilities to be accomplished
35 during the student teaching experience by the student
36 teacher and by the cooperating teacher ~~based upon~~
37 ~~recommendations of the department of education after~~
38 ~~consultation with teacher education faculty members~~
39 ~~in colleges and universities.~~ The student teaching
40 experience shall include opportunities for the student
41 teacher to become knowledgeable about the Iowa teaching
42 standards, including a mock evaluation performed by
43 the cooperating teacher. The mock evaluation shall
44 not be used as an assessment tool by the practitioner
45 preparation program. The student teaching experience
46 shall consist of interactive experiences involving the
47 college or university personnel, the student teacher,
48 the cooperating teacher, and administrative personnel
49 from the cooperating teacher's school district.

50 8. A requirement that an approved practitioner

1 preparation institution submit evidence that the
2 college or ~~department of education~~ is communicating
3 with other colleges or departments in the institution
4 so that practitioner preparation students may integrate
5 teaching methodology with subject matter areas of
6 specialization.

7 Sec. 61. NEW SECTION. 273.1A Transfer of authority
8 and duties.

9 1. Beginning July 1, 2013, the authority and
10 duties of the department of education, the state board
11 of education, and the director of the department of
12 education under this chapter shall, to the extent
13 feasible, be transferred to the area education agency
14 boards of directors in this state. Accordingly,
15 beginning July 1, 2013, all references to the
16 department of education, the state board of education,
17 and the director of the department of education
18 under this chapter and references to the department
19 of education, the state board of education, and the
20 director of the department of education under other
21 provisions of law relating to this chapter shall
22 mean the applicable area education agency board of
23 directors.

24 2. Any rule, regulation, form, order, or directive
25 promulgated by the department of education relative
26 to the provisions of this chapter in existence at the
27 conclusion of the fiscal year beginning July 1, 2012,
28 shall continue in full force and effect.

29 Sec. 62. NEW SECTION. 274.1A Transfer of authority
30 and duties.

31 1. Beginning July 1, 2013, the authority and duties
32 of the department of education and the director of
33 the department of education under this chapter shall,
34 to the extent feasible, be transferred to the area
35 education agency boards of directors in this state.
36 Accordingly, beginning July 1, 2013, all references
37 to the department of education and the director of
38 the department of education under this chapter and
39 references to the department of education and the
40 director of the department of education under other
41 provisions of law relating to this chapter shall
42 mean the applicable area education agency board of
43 directors.

44 2. Any rule, regulation, form, order, or directive
45 promulgated by the department of education or the
46 director of the department of education relative to
47 the provisions of this chapter in existence at the
48 conclusion of the fiscal year beginning July 1, 2012,
49 shall continue in full force and effect.

50 Sec. 63. NEW SECTION. 275.1A Transfer of authority

1 **and duties.**

2 1. Beginning July 1, 2013, the authority and
3 duties of the department of education, the state board
4 of education, and the director of the department of
5 education under this chapter shall, to the extent
6 feasible, be transferred to the area education agency
7 boards of directors in this state. Accordingly,
8 beginning July 1, 2013, all references to the
9 department of education, the state board of education,
10 and the director of the department of education
11 under this chapter and references to the department
12 of education, the state board of education, and the
13 director of the department of education under other
14 provisions of law relating to this chapter shall
15 mean the applicable area education agency board of
16 directors.

17 2. Any rule, regulation, form, order, or directive
18 promulgated by the department of education, the state
19 board of education, or the director of the department
20 of education relative to the provisions of this chapter
21 in existence at the conclusion of the fiscal year
22 beginning July 1, 2012, shall continue in full force
23 and effect.

24 Sec. 64. Section 276.3, subsections 5 and 9, Code
25 2011, are amended by striking the subsections.

26 Sec. 65. Section 279.51, subsection 1, unnumbered
27 paragraph 1, Code Supplement 2011, is amended to read
28 as follows:

29 There is appropriated from the general fund of the
30 state to the department of ~~education~~ management for the
31 fiscal year beginning July 1, 2007, and each succeeding
32 fiscal year, the sum of twelve million six hundred six
33 thousand one hundred ninety-six dollars. The moneys
34 shall be allocated as follows:

35 Sec. 66. NEW SECTION. 279.68 **Transfer of authority**
36 **and duties.**

37 1. Beginning July 1, 2013, the authority and
38 duties of the department of education, the state board
39 of education, and the director of the department of
40 education under this chapter, to the extent feasible,
41 shall be transferred to the boards of directors
42 for the respective school districts in the state.
43 Accordingly, beginning July 1, 2013, all references
44 to the department of education, the state board of
45 education, and the director of the department of
46 education under this chapter and references to the
47 department of education, the state board of education,
48 and the director of the department of education under
49 other provisions of law relating to this chapter shall
50 mean the applicable board of directors of the school

1 district.

2 2. Any rule, regulation, form, order, or directive
3 promulgated by the department of education, the state
4 board of education, or the director of the department
5 of education relative to the provisions of this chapter
6 in existence at the conclusion of the fiscal year
7 beginning July 1, 2012, shall continue in full force
8 and effect.

9 **Sec. 67. NEW SECTION. 280.1A Transfer of authority**
10 **and duties.**

11 1. Beginning July 1, 2013, the authority and
12 duties of the department of education, the state board
13 of education, and the director of the department of
14 education under this chapter, to the extent feasible,
15 shall be transferred to the boards of directors
16 for the respective school districts in the state.
17 Accordingly, beginning July 1, 2013, all references
18 to the department of education, the state board of
19 education, and the director of the department of
20 education under this chapter and references to the
21 department of education, the state board of education,
22 and the director of the department of education under
23 other provisions of law relating to this chapter shall
24 mean the applicable board of directors of the school
25 district.

26 2. Any rule, regulation, form, order, or directive
27 promulgated by the department of education, the state
28 board of education, or the director of the department
29 of education relative to the provisions of this chapter
30 in existence at the conclusion of the fiscal year
31 beginning July 1, 2012, shall continue in full force
32 and effect.

33 **Sec. 68. NEW SECTION. 282.1A Transfer of authority**
34 **and duties.**

35 1. Beginning July 1, 2013, the authority and
36 duties of the department of education, the state board
37 of education, and the director of the department of
38 education under this chapter, to the extent feasible,
39 shall be transferred to the boards of directors
40 for the respective school districts in the state.
41 Accordingly, beginning July 1, 2013, all references
42 to the department of education, the state board of
43 education, and the director of the department of
44 education under this chapter and references to the
45 department of education, the state board of education,
46 and the director of the department of education under
47 other provisions of law relating to this chapter shall
48 mean the applicable board of directors of the school
49 district.

50 2. Any rule, regulation, form, order, or directive

1 promulgated by the department of education, the state
2 board of education, or the director of the department
3 of education relative to the provisions of this chapter
4 in existence at the conclusion of the fiscal year
5 beginning July 1, 2012, shall continue in full force
6 and effect.

7 Sec. 69. Section 282.18, subsections 5 and 13, Code
8 2011, are amended to read as follows:

9 5. Open enrollment applications filed after March
10 1 of the preceding school year that do not qualify
11 for good cause as provided in subsection 4 shall be
12 subject to the approval of the board of the resident
13 district and the board of the receiving district. The
14 parent or guardian shall send notification to the
15 district of residence and the receiving district that
16 the parent or guardian seeks to enroll the parent's or
17 guardian's child in the receiving district. ~~A decision~~
18 ~~of either board to deny an application filed under this~~
19 ~~subsection involving repeated acts of harassment of~~
20 ~~the student or serious health condition of the student~~
21 ~~that the resident district cannot adequately address~~
22 ~~is subject to appeal under section 290.1. The state~~
23 ~~board shall exercise broad discretion to achieve just~~
24 ~~and equitable results that are in the best interest of~~
25 ~~the affected child or children.~~

26 13. If a request under this section is for transfer
27 to a laboratory school, as described in chapter
28 265, the student, who is the subject of the request,
29 shall not be included in the basic enrollment of the
30 student's district of residence, and the laboratory
31 school shall report the enrollment of the student
32 directly to the department of education management,
33 unless the number of students from the district
34 attending the laboratory school during the current
35 school year, as a result of open enrollment under this
36 section, exceeds the number of students enrolled in
37 the laboratory school from that district during the
38 1989-1990 school year. If the number of students
39 enrolled in the laboratory school from a district
40 during the current year exceeds the number of students
41 enrolled from that district during the 1989-1990 school
42 year, those students who represent the difference
43 between the current and the 1988-1989 school year
44 enrollment figures shall be included in the basic
45 enrollment of the students' districts of residence
46 and the districts shall retain any moneys received
47 as a result of the inclusion of the student in the
48 district enrollment. The total number of students
49 enrolled at a laboratory school during a school year
50 shall not exceed six hundred seventy students. The

1 regents institution operating the laboratory school and
2 the board of directors of the school district in the
3 community in which the regents institution is located
4 shall develop a student transfer policy designed to
5 protect and promote the quality and integrity of the
6 teacher education program at the laboratory school, the
7 viability of the education program of the local school
8 district in which the regents institution is located,
9 and to indicate the order in which and reasons why
10 requests to transfer to a laboratory school shall be
11 considered. A laboratory school may deny a request for
12 transfer under the policy. ~~A denial of a request to~~
13 ~~transfer under this subsection is not subject to appeal~~
14 ~~under section 290.1.~~

15 Sec. 70. Section 283.1, Code 2011, is amended to
16 read as follows:

17 **283.1 Federal funds accepted.**

18 The director of the department of ~~education~~
19 management is the "*state educational authority*" for
20 the purpose of accepting and administering funds
21 appropriated by Congress for educational purposes
22 and the funds shall be deposited with the treasurer
23 of state and disbursed through the department of
24 administrative services on vouchers audited as provided
25 by law. When state matching funds are required as
26 a condition to the acceptance of federal funds, the
27 director of the department of ~~education~~ management may
28 make expenditures for matching only from funds provided
29 by the legislature for that purpose. However, when
30 federal funds may be matched with expenditures from
31 funds appropriated for the general operation of the
32 department of ~~education~~ management, this may be done
33 with the approval of the legislative council.

34 Sec. 71. NEW SECTION. **283A.1A Transfer of**
35 **authority and duties.**

36 1. Beginning July 1, 2013, the authority and
37 duties of the department of education, the state board
38 of education, and the director of the department of
39 education under this chapter, to the extent feasible,
40 shall be transferred to the boards of directors
41 for the respective school districts in the state.
42 Accordingly, beginning July 1, 2013, all references
43 to the department of education, the state board of
44 education, and the director of the department of
45 education under this chapter and references to the
46 department of education, the state board of education,
47 and the director of the department of education under
48 other provisions of law relating to this chapter shall
49 mean the applicable board of directors of the school
50 district.

1 2. Any rule, regulation, form, order, or directive
2 promulgated by the department of education, the state
3 board of education, or the director of the department
4 of education relative to the provisions of this chapter
5 in existence at the conclusion of the fiscal year
6 beginning July 1, 2012, shall continue in full force
7 and effect.

8 Sec. 72. Section 283A.3, Code 2011, is amended to
9 read as follows:

10 **283A.3 Expenditure of federal funds.**

11 The director of the department of ~~education~~
12 management shall accept and direct the disbursement
13 of funds appropriated by any Act of Congress and
14 appropriated to the state of Iowa for use in connection
15 with school breakfast or lunch programs. The director
16 shall deposit the funds with the treasurer of the
17 state of Iowa, who shall make disbursements upon the
18 direction of the director.

19 **Sec. 73. NEW SECTION. 284.1A Transfer of authority**
20 **and duties.**

21 1. Beginning July 1, 2013, the authority and
22 duties of the department of education, the state board
23 of education, and the director of the department of
24 education under this chapter, to the extent feasible,
25 shall be transferred to the boards of directors
26 for the respective school districts in the state.
27 Accordingly, beginning July 1, 2013, all references
28 to the department of education, the state board of
29 education, and the director of the department of
30 education under this chapter and references to the
31 department of education, the state board of education,
32 and the director of the department of education under
33 other provisions of law relating to this chapter shall
34 mean the applicable board of directors of the school
35 district.

36 2. Any rule, regulation, form, order, or directive
37 promulgated by the department of education, the state
38 board of education, or the director of the department
39 of education relative to the provisions of this chapter
40 in existence at the conclusion of the fiscal year
41 beginning July 1, 2012, shall continue in full force
42 and effect.

43 **Sec. 74. NEW SECTION. 284A.1A Transfer of**
44 **authority and duties.**

45 1. Beginning July 1, 2013, the authority and
46 duties of the department of education, the state board
47 of education, and the director of the department of
48 education under this chapter, to the extent feasible,
49 shall be transferred to the boards of directors
50 for the respective school districts in the state.

1 Accordingly, beginning July 1, 2013, all references
2 to the department of education, the state board of
3 education, and the director of the department of
4 education under this chapter and references to the
5 department of education, the state board of education,
6 and the director of the department of education under
7 other provisions of law relating to this chapter shall
8 mean the applicable board of directors of the school
9 district.

10 2. Any rule, regulation, form, order, or directive
11 promulgated by the department of education, the state
12 board of education, or the director of the department
13 of education relative to the provisions of this chapter
14 in existence at the conclusion of the fiscal year
15 beginning July 1, 2012, shall continue in full force
16 and effect.

17 **Sec. 75. NEW SECTION. 285.7 Transfer of authority**
18 **and duties.**

19 1. Beginning July 1, 2013, the authority and
20 duties of the department of education, the state board
21 of education, and the director of the department of
22 education under this chapter, to the extent feasible,
23 shall be transferred to the boards of directors
24 for the respective school districts in the state.
25 Accordingly, beginning July 1, 2013, all references
26 to the department of education, the state board of
27 education, and the director of the department of
28 education under this chapter and references to the
29 department of education, the state board of education,
30 and the director of the department of education under
31 other provisions of law relating to this chapter shall
32 mean the applicable board of directors of the school
33 district.

34 2. Any rule, regulation, form, order, or directive
35 promulgated by the department of education, the state
36 board of education, or the director of the department
37 of education relative to the provisions of this chapter
38 in existence at the conclusion of the fiscal year
39 beginning July 1, 2012, shall continue in full force
40 and effect.

41 **Sec. 76. Section 291.11, Code 2011, is amended to**
42 **read as follows:**

43 **291.11 Officers reported.**

44 The secretary shall report to the director of the
45 department of ~~education~~ management, the county auditor,
46 and county treasurer the name and post office address
47 of the president, treasurer and secretary of the board
48 as soon as practicable after the qualification of each.

49 **Sec. 77. NEW SECTION. 292.1A Transfer of authority**
50 **and duties.**

1 1. Beginning July 1, 2013, the authority and duties
2 of the department of education under this chapter
3 shall be transferred to the department of revenue.
4 Accordingly, beginning July 1, 2013, all references
5 to the department of education under this chapter and
6 references to the department of education under other
7 provisions of law relating to this chapter shall mean
8 the department of revenue.

9 2. Any moneys remaining in any account or fund
10 under the control of the department of education at the
11 conclusion of the fiscal year beginning July 1, 2012,
12 relative to the provisions of this chapter shall be
13 transferred to the control of the department of revenue
14 for such purposes. Notwithstanding section 8.33, the
15 moneys transferred in accordance with this subsection
16 shall not revert to the account or fund from which
17 appropriated or transferred.

18 3. Any contract entered into by the department of
19 education relating to the provisions of this chapter in
20 effect at the conclusion of the fiscal year beginning
21 July 1, 2012, shall continue in full force and effect
22 pending transfer of such contracts to the department
23 of revenue.

24 4. Any rule, regulation, form, order, or directive
25 promulgated by the department of education relative
26 to the provisions of this chapter in existence at the
27 conclusion of the fiscal year beginning July 1, 2012,
28 shall continue in full force and effect until amended,
29 repealed, or supplemented by affirmative action of
30 the department of revenue under the duties and powers
31 established in this chapter and under the procedure
32 established in subsection 5.

33 5. In regard to updating references and format in
34 the Iowa administrative code in order to correspond
35 to the transferring of duties of this chapter, the
36 administrative rules coordinator and the administrative
37 rules review committee, in consultation with the
38 administrative code editor, shall jointly develop
39 a schedule for the necessary updating of the Iowa
40 administrative code.

41 Sec. 78. Section 294.5, Code 2011, is amended to
42 read as follows:

43 **294.5 Reports.**

44 The teacher shall file with the school
45 superintendent ~~and the director of the department of~~
46 ~~education~~ such reports and in such manner as may be
47 required.

48 Sec. 79. Section 296.3, Code 2011, is amended to
49 read as follows:

50 **296.3 Election called.**

1 Within ten days of receipt of a petition filed under
2 section 296.2, the president of the board of directors
3 shall call a meeting of the board. The meeting shall
4 be held within thirty days after the petition was
5 received. At the meeting, the board shall call the
6 election, fixing the time of the election, which
7 may be at the time and place of holding the regular
8 school election. However, if the board determines by
9 unanimous vote that the proposition or propositions
10 requested by a petition to be submitted at an election
11 are grossly unrealistic or contrary to the needs of
12 the school district, no election shall be called. If
13 more than one petition has been received by the time
14 the board meets to consider the petition triggering
15 the meeting, the board shall act upon the petitions in
16 the order they were received at the meeting called to
17 consider the initial petition. ~~The decision of the~~
18 ~~board may be appealed to the state board of education~~
19 ~~as provided in chapter 290.~~ The president shall notify
20 the county commissioner of elections of the time of the
21 election.

22 **Sec. 80. NEW SECTION. 297.37 Transfer of authority**
23 **and duties.**

24 1. Beginning July 1, 2013, the authority and duties
25 of the department of education and the director of
26 the department of education under this chapter shall
27 be transferred to the department of administrative
28 services and the director of the department of
29 administrative services. Accordingly, beginning
30 July 1, 2013, all references to the department of
31 education and the director of the department of
32 education under this chapter and references to the
33 department of education and the director of the
34 department of education under other provisions of law
35 relating to this chapter shall mean the department
36 of administrative services or the director of the
37 department of administrative services.

38 2. Any rule, regulation, form, order, or directive
39 promulgated by the department of education or the
40 director of the department of education relative to
41 the provisions of this chapter in existence at the
42 conclusion of the fiscal year beginning July 1, 2012,
43 shall continue in full force and effect.

44 **Sec. 81. Section 298A.8, Code 2011, is amended to**
45 **read as follows:**

46 **298A.8 Student activity fund.**

47 The student activity fund is a special revenue
48 fund. A student activity fund must be established
49 in any school corporation receiving money from
50 student-related activities such as admissions, activity

1 fees, student dues, student fund-raising events, or
2 other student-related cocurricular or extracurricular
3 activities. Moneys in this fund shall be used to
4 support only the cocurricular program defined in
5 ~~department of education administrative rules.~~

6 **Sec. 82. NEW SECTION. 299.25 Transfer of authority**
7 **and duties.**

8 1. Beginning July 1, 2013, the authority and
9 duties of the department of education, the state board
10 of education, and the director of the department of
11 education under this chapter, to the extent feasible,
12 shall be transferred to the boards of directors
13 for the respective school districts in the state.
14 Accordingly, beginning July 1, 2013, all references
15 to the department of education, the state board of
16 education, and the director of the department of
17 education under this chapter and references to the
18 department of education, the state board of education,
19 and the director of the department of education under
20 other provisions of law relating to this chapter shall
21 mean the applicable board of directors of the school
22 district.

23 2. Any rule, regulation, form, order, or directive
24 promulgated by the department of education, the state
25 board of education, or the director of the department
26 of education relative to the provisions of this chapter
27 in existence at the conclusion of the fiscal year
28 beginning July 1, 2012, shall continue in full force
29 and effect.

30 **Sec. 83. NEW SECTION. 299A.1A Transfer of**
31 **authority and duties.**

32 1. Beginning July 1, 2013, the authority and
33 duties of the department of education, the state board
34 of education, and the director of the department of
35 education under this chapter, to the extent feasible,
36 shall be transferred to the boards of directors
37 for the respective school districts in the state.
38 Accordingly, beginning July 1, 2013, all references
39 to the department of education, the state board of
40 education, and the director of the department of
41 education under this chapter and references to the
42 department of education, the state board of education,
43 and the director of the department of education under
44 other provisions of law relating to this chapter shall
45 mean the applicable board of directors of the school
46 district.

47 2. Any rule, regulation, form, order, or directive
48 promulgated by the department of education, the state
49 board of education, or the director of the department
50 of education relative to the provisions of this chapter

1 in existence at the conclusion of the fiscal year
2 beginning July 1, 2012, shall continue in full force
3 and effect.

4 Sec. 84. NEW SECTION. 301.1A **Transfer of authority**
5 **and duties.**

6 1. Beginning July 1, 2013, the authority and
7 duties of the department of education, the state board
8 of education, and the director of the department of
9 education under this chapter, to the extent feasible,
10 shall be transferred to the boards of directors
11 for the respective school districts in the state.
12 Accordingly, beginning July 1, 2013, all references
13 to the department of education, the state board of
14 education, and the director of the department of
15 education under this chapter and references to the
16 department of education, the state board of education,
17 and the director of the department of education under
18 other provisions of law relating to this chapter shall
19 mean the applicable board of directors of the school
20 district.

21 2. Any rule, regulation, form, order, or directive
22 promulgated by the department of education, the state
23 board of education, or the director of the department
24 of education relative to the provisions of this chapter
25 in existence at the conclusion of the fiscal year
26 beginning July 1, 2012, shall continue in full force
27 and effect.

28 Sec. 85. REPEAL. Sections 260C.6, 276.4, and
29 291.10, Code 2011, are repealed.

30 Sec. 86. REPEAL. Chapters 256 and 290, Code and
31 Code Supplement 2011, are repealed.

32 Sec. 87. EFFECTIVE DATE. This division of this Act
33 takes effect July 1, 2013.

34 DIVISION II

35 CORRESPONDING AMENDMENT LEGISLATION

36 Sec. 88. CORRESPONDING AMENDMENTS
37 LEGISLATION. Additional legislation is required
38 to fully implement division I of this Act. The
39 director of the department of education shall, in
40 compliance with section 2.16, prepare draft legislation
41 for submission to the legislative services agency, as
42 necessary, to implement the transition and elimination
43 of authority and duties under division I of this Act
44 and to implement the transition and elimination of
45 authority and duties under other provisions of law
46 including but not limited to the duties and authority
47 of the department of education, the state board of
48 education, the director of the department of education,
49 and any division, commission, or subunit of such
50 entities or offices under chapters 7A, 7E, 8A, 8D, 8F,

1 11, 12, 15, 15H, 16, 19B, 22, 48A, 68B, 73, 80E, 84A,
2 85, 96, 99B, 125, 135, 139A, 141A, 142A, 154B, 154F,
3 161A, 190A, 216A, 218, 220A, 225B, 225C, 232, 234, 237,
4 237A, 237B, 239B, 241, 249A, 257, 307A, 321, 321J, 322,
5 350, 423E, 423F, 455A, 455E, 473, 514I, 714, and 904.

6 DIVISION III

7 EDUCATION FINANCE AND

8 EDUCATION SAVINGS GRANTS

9 Sec. 89. Section 8.6, Code Supplement 2011, is
10 amended by adding the following new subsection:

11 NEW SUBSECTION. 18. *Education savings grant*
12 *applications.* Adopt rules relating to applications
13 for an education savings grant pursuant to section
14 257.3B, including application processing timelines,
15 and required information for submission by a parent or
16 guardian.

17 Sec. 90. Section 12D.3, subsection 1, paragraph a,
18 Code 2011, is amended to read as follows:

19 a. Each participation agreement may require a
20 participant to agree to invest a specific amount of
21 money in the trust for a specific period of time for
22 the benefit of a specific beneficiary. A participant
23 shall not be required to make an annual contribution
24 on behalf of a beneficiary. The maximum contribution
25 that may be deducted for Iowa income tax purposes shall
26 not exceed two thousand dollars per beneficiary per
27 year adjusted annually to reflect increases in the
28 consumer price index. A contribution to an account
29 that is the result of a transfer from an account in
30 the education savings grant fund under section 257.3B
31 shall not be considered a contribution that may be
32 deducted for Iowa income tax purposes. The treasurer
33 of state shall set an account balance limit to maintain
34 compliance with section 529 of the Internal Revenue
35 Code. A contribution shall not be permitted to the
36 extent it causes the aggregate balance of all accounts
37 established for the same beneficiary to exceed the
38 applicable account balance limit.

39 Sec. 91. Section 257.1, subsection 2, Code 2011, is
40 amended by striking the subsection.

41 Sec. 92. NEW SECTION. 257.1A **Transfer of authority**
42 **and duties.**

43 1. Beginning July 1, 2013, the authority and
44 duties of the department of education, the state board
45 of education, and the director of the department of
46 education under this chapter shall be transferred to
47 the department of management and the director of the
48 department of management. Accordingly, beginning July
49 1, 2013, all references to the department of education
50 under this chapter and references to the department of

1 education under other provisions of law relating to
2 this chapter shall mean the department of management
3 and all references to the state board of education or
4 the director of the department of education under this
5 chapter or other provisions of law relating to this
6 chapter shall mean the director of the department of
7 management.

8 2. Any moneys remaining in any account or fund
9 under the control of the department of education at
10 the conclusion of the fiscal year beginning July 1,
11 2012, relative to the provisions of this chapter shall
12 be transferred to the control of the department of
13 management for such purposes. Notwithstanding section
14 8.33, the moneys transferred in accordance with this
15 subsection shall not revert to the account or fund from
16 which appropriated or transferred.

17 3. Any contract entered into by the department of
18 education relating to the provisions of this chapter in
19 effect at the conclusion of the fiscal year beginning
20 July 1, 2012, shall continue in full force and effect
21 pending transfer of such contracts to the department of
22 management.

23 4. Any rule, regulation, form, order, or directive
24 promulgated by the department of education relative
25 to the provisions of this chapter in existence at the
26 conclusion of the fiscal year beginning July 1, 2012,
27 shall continue in full force and effect until amended,
28 repealed, or supplemented by affirmative action of the
29 department of management under the duties and powers
30 established in this chapter and under the procedure
31 established in subsection 5.

32 5. In regard to updating references and format in
33 the Iowa administrative code in order to correspond
34 to the transferring of duties of this chapter, the
35 administrative rules coordinator and the administrative
36 rules review committee, in consultation with the
37 administrative code editor, shall jointly develop
38 a schedule for the necessary updating of the Iowa
39 administrative code.

40 Sec. 93. Section 257.2, subsections 3, 5, 6, and
41 10, Code 2011, are amended by striking the subsections.

42 Sec. 94. Section 257.2, subsection 9, paragraph a,
43 Code 2011, is amended to read as follows:

44 a. ~~Foundation aid~~ Tuition collected by the school
45 district pursuant to section 257.3A.

46 Sec. 95. Section 257.3, subsection 1, paragraph b,
47 Code 2011, is amended by striking the paragraph.

48 Sec. 96. NEW SECTION. 257.3A Education savings
49 grant — tuition.

50 A school district may collect as tuition from each

1 pupil enrolled in the school district an amount not
2 to exceed the education savings grant received by the
3 pupil for that school year under section 257.3B.

4 Sec. 97. NEW SECTION. 257.3B Education savings
5 grant program.

6 1. Pupils residing in this state eligible to enroll
7 in grades kindergarten through twelve, and enrolled
8 in a public school, attending an accredited nonpublic
9 school, or receiving competent private instruction
10 under chapter 299A shall be eligible to receive an
11 education savings grant in the manner provided in this
12 section for school years beginning on or after July 1,
13 2013. Education savings grants shall be available for
14 disbursement to parents and guardians for the payment
15 of qualified education expenses as provided in this
16 section.

17 2. a. (1) By January 31 preceding the school year
18 for which the education savings grant is requested, the
19 parent or guardian of the pupil requesting to receive
20 an education savings grant shall submit an application
21 to the department of management, on application forms
22 developed by the department, indicating that the parent
23 or guardian intends to enroll the pupil in either a
24 public school or an accredited nonpublic school, or
25 provide competent private instruction for the pupil
26 under chapter 299A.

27 (2) In addition to such information deemed
28 appropriate by the department of management, the
29 application shall require the following information:

30 (a) Certification from the public school or the
31 accredited nonpublic school of the pupil's enrollment
32 for the following school year, or a statement
33 indicating the parent or guardian's intent to provide
34 or arrange for competent private instruction for the
35 pupil for the following school year.

36 (b) Certification from the parent or guardian of
37 the pupil that an account has been established in the
38 pupil's name in the Iowa education savings plan trust
39 pursuant to chapter 12D.

40 b. By March 1 preceding the school year for
41 which the education savings grant is requested, the
42 department of management shall certify the number
43 of pupils in each school district designated for the
44 following school year to receive an education savings
45 grant. The department of management shall also notify
46 the parent or guardian of such pupils who are approved
47 to receive an education savings grant.

48 c. Education savings grants shall only be approved
49 for one school year and applications must be submitted
50 under paragraph "a" for education savings grants in

1 subsequent school years.

2 3. *a.* The department of management shall assign
3 each pupil an education savings grant of three thousand
4 seven hundred dollars.

5 *b.* The department of management shall on July 1
6 transfer such amounts to the pupil's account in the
7 Iowa education savings grant fund established under
8 subsection 4. Such amount shall be available for
9 disbursement to the pupil's parent or guardian for the
10 payment of qualified educational expenses incurred by
11 such persons for the pupil during that school year.

12 4. An Iowa education savings grant fund is
13 created in the state treasury under the control of
14 the department of management consisting of moneys
15 appropriated to the department for the purpose of
16 providing education savings grants under this section.
17 For the fiscal year commencing July 1, 2013, and each
18 succeeding fiscal year, there is appropriated from
19 the general fund of the state to the department of
20 management the amount necessary to pay all education
21 savings grants approved for that fiscal year. The
22 director of the department of management has all powers
23 necessary to carry out and effectuate the purposes,
24 objectives, and provisions of this section pertaining
25 to the fund, including the power to do all of the
26 following:

27 *a.* Make and enter into contracts necessary for the
28 administration of the fund.

29 *b.* Procure insurance against any loss in connection
30 with the assets of the fund.

31 *c.* Make disbursements from a pupil's account within
32 the fund to the pupil's parents or guardians for the
33 payment of qualified educational expenses.

34 *d.* Make transfers to pupils' Iowa education savings
35 plan trust accounts established under chapter 12D.

36 *e.* Adopt rules pursuant to chapter 17A for the
37 administration of the fund and accounts within the
38 fund.

39 5. *a.* For each pupil approved for an education
40 savings grant, the department shall establish an
41 account for that pupil in the education savings grant
42 fund. The amount of the pupil's education savings
43 grant shall be deposited into the pupil's account on
44 July 1 and such amount shall be immediately available
45 for disbursement to parents and guardians upon filing
46 and approval of claims from the pupil's account for
47 qualified education expenses incurred by the parent or
48 guardian for the pupil during that fiscal year.

49 *b.* A parent or guardian of a pupil may on forms
50 prescribed by the department of management submit

1 claims for disbursements of moneys within the account.
2 The department may by rule designate the appropriate
3 supporting documentation necessary for the disbursement
4 of moneys in an account including but not limited to
5 invoices of amounts due and receipts of amounts paid
6 for qualified education expenses.

7 c. The department of management shall upon
8 conclusion of the fiscal year and disbursement of
9 all claims submitted by a parent or guardian before
10 conclusion of the fiscal year transfer any remaining
11 amounts in the pupil's account within the education
12 savings grant fund to the pupil's Iowa education
13 savings plan trust account pursuant to chapter 12D.

14 6. For purposes of this section, "qualified
15 educational expense" includes tuition at a public
16 school collected under section 257.3A, tuition and
17 fees at an accredited nonpublic school, textbooks,
18 payment to a licensed or accredited tutor, curriculum
19 materials, tuition or fees for nonpublic online
20 education programs, education materials and services
21 for pupils with disabilities, standardized test fees,
22 and other expenses incurred by the parent or guardian
23 that are directly related to the education of the pupil
24 at a public school or an accredited nonpublic school
25 or directly related to providing competent private
26 instruction for the pupil under chapter 299A.

27 7. A person who makes a false claim for the purpose
28 of obtaining an education savings grant provided
29 for in this section or who knowingly receives the
30 grant without being legally entitled to it is guilty
31 of a fraudulent practice. The false claim for an
32 education savings grant shall be disallowed and if
33 amounts from the grant have been disbursed from the
34 applicable account in the education savings grant
35 fund or transferred to an Iowa education savings plan
36 trust account under chapter 12D, the department of
37 management shall initiate legal proceedings to recover
38 such amounts.

39 Sec. 98. Section 257.4, subsection 1, paragraph a,
40 Code 2011, is amended to read as follows:

41 a. A school district shall cause an additional
42 property tax to be levied each year. The rate of
43 the additional property tax levy in a school district
44 shall be determined by the department of management and
45 shall be calculated to raise the difference between
46 the ~~combined district cost~~ school district's total
47 certified budget for the budget year and the sum of the
48 following:

49 (1) ~~The product of the regular program foundation~~
50 ~~base per pupil times the weighted enrollment in the~~

1 ~~district~~ The amount raised by the foundation property
2 tax for the budget year in the school district.

3 (2) ~~The product of special education support~~
4 ~~services foundation base per pupil times the special~~
5 ~~education support services weighted enrollment in the~~
6 ~~district~~ The total amount of tuition collected from
7 pupils within the district for the budget year pursuant
8 to section 257.3A.

9 (3) The total teacher salary supplement district
10 cost.

11 (4) The total professional development supplement
12 district cost.

13 (5) The total early intervention supplement
14 district cost.

15 (6) The total area education agency teacher salary
16 supplement district cost.

17 (7) The total area education agency professional
18 development supplement district cost.

19 Sec. 99. Section 257.4, subsection 1, paragraph b,
20 Code 2011, is amended by striking the paragraph.

21 Sec. 100. Section 257.4, subsection 2, Code 2011,
22 is amended by striking the subsection.

23 Sec. 101. Section 257.6, subsection 1, paragraph
24 a, Code 2011, is amended by adding the following new
25 subparagraph:

26 NEW SUBPARAGRAPH. (8) Resident pupils receiving
27 an education savings grant pursuant to section 257.3B
28 and not included in the actual enrollment under another
29 provision of this paragraph.

30 Sec. 102. Section 257.6, subsections 3 and 5, Code
31 2011, are amended by striking the subsections.

32 Sec. 103. Section 257.7, subsection 1, Code 2011,
33 is amended to read as follows:

34 1. *Budgets.* School districts are subject to
35 chapter 24. The authorized expenditures of a school
36 district during a base year shall not exceed the lesser
37 of the budget for that year certified under section
38 24.17 plus any allowable amendments permitted in this
39 section, or the authorized certified budget, which is
40 the sum of the combined district cost for that year,
41 including the actual miscellaneous income received for
42 that year, and the actual unspent balance from the
43 preceding year.

44 Sec. 104. Section 257.8, subsections 1, 3, 4, 5, 6,
45 and 7, Code Supplement 2011, are amended by striking
46 the subsections.

47 Sec. 105. Section 257.9, subsections 1 through 5,
48 Code 2011, are amended by striking the subsections.

49 Sec. 106. Section 257.10, subsections 1 through 8,
50 Code 2011, are amended by striking the subsections.

1 Sec. 107. Section 257.16, subsections 1 and 4, Code
2 2011, are amended to read as follows:

3 1. There is appropriated each year from the general
4 fund of the state an amount necessary to pay the
5 foundation aid and education savings grants under this
6 chapter, and the preschool foundation aid under chapter
7 256C, ~~supplementary aid under section 257.4, subsection~~
8 ~~2, and adjusted additional property tax levy aid under~~
9 ~~section 257.15, subsection 4.~~

10 4. Notwithstanding any provision to the contrary,
11 if the governor orders budget reductions in accordance
12 with section 8.31, the teacher salary supplement
13 district cost, the professional development supplement
14 district cost, and the early intervention supplement
15 district cost as calculated under section 257.10,
16 subsections 9, 10, and 11, and the area education
17 agency teacher salary supplement district cost and
18 the area education agency professional development
19 supplement district cost as calculated under section
20 257.37A, subsections 1 and 2, shall be paid in full as
21 calculated and the reductions in the appropriations
22 provided in accordance with this section shall be
23 reduced from the remaining moneys appropriated pursuant
24 to this section and shall be distributed on a per
25 pupil basis ~~calculated with the weighted enrollment~~
26 ~~determined in accordance with section 257.6, subsection~~
27 5.

28 Sec. 108. Section 257.30, Code 2011, is amended to
29 read as follows:

30 **257.30 School budget review committee.**

31 1. A school budget review committee is established
32 in the department of ~~education~~ management and consists
33 of the director of the department of ~~education~~
34 management in an ex officio, nonvoting capacity, ~~the~~
35 ~~director of the department of management,~~ and four
36 members who are knowledgeable in the areas of Iowa
37 school finance or public finance issues appointed
38 by the governor to represent the public. At least
39 one of the public members shall possess a master's
40 or doctoral degree in which areas of school finance,
41 economics, or statistics are an integral component,
42 or shall have equivalent experience in an executive
43 administrative or senior research position in the
44 education or public administration field. The members
45 appointed by the governor shall serve staggered
46 three-year terms beginning and ending as provided in
47 section 69.19 and are subject to senate confirmation as
48 provided in section 2.32. The committee shall meet and
49 hold hearings each year and shall continue in session
50 until it has reviewed budgets of school districts, as

1 provided in section 257.31. The committee may call
2 in school board members and employees as necessary
3 for the hearings. The committee's scheduled hearing
4 agendas and the minutes of such hearings shall be
5 posted on the department of education's internet site.
6 Legislators shall be notified of hearings concerning
7 school districts in their legislative districts.

8 2. The committee shall adopt its own rules of
9 procedure under chapter 17A. The director of the
10 department of ~~education~~ management shall serve as
11 chairperson, and ~~the~~ a public member designated by the
12 director of the department of management shall serve
13 as secretary. The committee members representing the
14 public are entitled to receive their necessary expenses
15 while engaged in their official duties. Members shall
16 be paid a per diem at the rate specified in section
17 7E.6. Per diem and expense payments shall be made
18 from appropriations to the department of ~~education~~
19 management.

20 3. The department of ~~education~~ management shall
21 employ a staff member to assist the school budget
22 review committee.

23 Sec. 109. Section 257.34, Code 2011, is amended to
24 read as follows:

25 **257.34 Cash reserve information.**

26 If a school district receives less state ~~school~~
27 ~~foundation aid under section 257.1~~ than is due under
28 ~~that section~~ this chapter for a base year and the
29 school district uses funds from its cash reserve during
30 the base year to make up for the amount of state aid
31 not paid, the board of directors of the school district
32 shall include in its general fund budget document
33 information about the amount of the cash reserve used
34 to replace state ~~school foundation~~ aid not paid.

35 Sec. 110. Section 257.37A, subsection 1, paragraph
36 c, subparagraph (1), Code 2011, is amended to read as
37 follows:

38 (1) The unadjusted area education agency teacher
39 salary supplement district cost is the area education
40 agency teacher salary supplement district cost per
41 pupil for each area education agency for a budget year
42 multiplied by the special education support services
43 ~~weighted~~ enrollment for that area education agency.

44 Sec. 111. Section 257.37A, subsection 2, paragraph
45 c, subparagraph (1), Code 2011, is amended to read as
46 follows:

47 (1) The unadjusted area education agency
48 professional development supplement district cost is
49 the area education agency professional development
50 supplement district cost per pupil for each area

1 education agency for a budget year multiplied by the
2 special education support services weighted enrollment
3 for that area education agency.

4 Sec. 112. REPEAL. Sections 257.5, 257.11, 257.11A,
5 257.12, 257.13, 257.14, 257.15, 257.16A, 257.18,
6 257.19, 257.20, 257.21, 257.22, 257.23, 257.24, 257.25,
7 257.26, 257.27, 257.28, 257.29, 257.38, 257.39, 257.40,
8 257.41, 257.42, 257.43, 257.44, 257.45, 257.46, 257.47,
9 257.48, and 257.49, Code 2011, are repealed.

10 Sec. 113. APPLICABILITY. This division of this
11 Act applies to school budget years and fiscal years
12 beginning on or after July 1, 2013.

13 Sec. 114. EFFECTIVE DATE. This division of this
14 Act takes effect July 1, 2013.

15 DIVISION IV

16 CORRESPONDING AMENDMENTS LEGISLATION

17 Sec. 115. CORRESPONDING AMENDMENTS
18 LEGISLATION. Additional legislation is required
19 to fully implement division III of this Act. The
20 director of the department of education shall, in
21 compliance with section 2.16, prepare draft legislation
22 for submission to the legislative services agency, as
23 necessary, to implement the transition and elimination
24 of authority and duties of the department of education,
25 the state board of education, and director of the
26 department of education under division III of this Act,
27 to implement the school finance modifications under
28 division III of this Act, to implement the education
29 savings grant program created in division III of this
30 Act, and to implement the transition and elimination
31 of authority and duties under other provisions of law
32 including but not limited to the duties and authority
33 of the department of education, the state board of
34 education, the director of the department of education,
35 and any division, commission, or subunit of such
36 entities or offices under chapters 11, 24, 256B, 256C,
37 256D, 256F, 257, 260C, 261E, 273, 275, 279, 280, 282,
38 284, 284A, 285, 298, 299A, 301, 321, 331, 422, 423E,
39 and 423F.>

40 2. Title page, by striking lines 1 through 4 and
41 inserting <An Act relating to education and school
42 district funding by abolishing the department of
43 education and the state board of education, modifying
44 the duties and authority of certain state and local
45 governmental entities, establishing an education
46 savings grant program and fund, making appropriations,
47 modifying the school district funding formula,
48 providing penalties, and including effective date and
49 applicability provisions.>

BRAD ZAUN
